BOARD,

REPORT ON THE ADMINISTRATION OF THE MOTOR VEHICLES ACT AND RULES AND THE MADRAS TRAFFIC RULES

FOR THE YEAR
1940-41

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OFFICE OF THE CENTRAL ROAD TRAFFIC BOARD,
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MOUNT ROAD, MADRAS,
Dated 11th December 1941.

FROM

E. W. BOUCHIER, Esq., I.C.S.,
SECRETARY, CENTRAL ROAD TRAFFIC BOARD, MADRAS,

To

THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT,
Fort St. George.

SIR,

[Motor Vehicles Act and Rules—Madras Traffic Rules—Administration Report.]

The Central Road Traffic Board has the honour to submit its report on the administration of the Motor Vehicles Act and Rules, and of the Madras Traffic Rules for the period from the 1st of April 1940 to the 31st March 1941.

2. *Introduction.*—The Motor Vehicles Act, 1939, Act No. IV of 1939, came into force on the first day of July 1939. It was provided that Chapter VIII (insurance against third party risks) should not have effect until the first of July 1943, and Chapter IV (control of Transport Vehicles) until the 1st of April 1940. The rules issued under the Motor Vehicles Act, 1914, were continued in force for a period of nine months from the 1st July 1939. The new Act (excluding Chapter VIII) and rules were brought into full operation in Madras on the 1st of April 1940.

The Act was passed to consolidate and amend the law relating to motor vehicles in British India. It provides for the control of motor vehicles and their users in general. Its chief feature however is that it established throughout British India a system of licensing the use of transport vehicles. The term "Transport Vehicles" covers goods vehicles, and vehicles used for the carriage of passengers for hire or reward, i.e., the vehicles commonly known as lorries, vans, buses and taxis. Section 42 of the Act makes it an offence, subject to certain exceptions relating to vehicles used for public or quasi-public purposes, to use a transport vehicle save in accordance with the provisions of a permit issued by a transport authority. A similar system of control had been set up in Madras under the Madras Motor Vehicles Rules, 1938, and the Traffic Boards which had been constituted under those rules were continued as Transport Authorities under the new Act.

3. *Constitution of transport authorities.*—There is in every district including Madras City a Road Traffic Board which performs the function of the Regional Transport Authority. The District Traffic Boards are subject to the control of the Central Road Traffic Board which is the Provincial Transport Authority for the Madras Presidency. In addition, the Central Board is the sole Transport Authority in respect of through traffic, i.e., traffic for more than 100 miles on trunk and notified roads.

The Road Traffic Boards consist of the following members:—

The Central Road Traffic Board.

A member of the Board of Revenue (to be Chairman).

The Inspector-General of Police.

The Inspector of Local Boards and Municipal Councils.

One non-official member.

The District and City of Madras.

The Commissioner of Police (Chairman).

The Collector of Madras.

The Commissioner of the Corporation.

One non-official member.

The Deputy Commissioner of Police (Traffic and Licensing).

The Deputy Commissioner of Police is the Board's Secretary and Executive Officer.

Other districts.

The District Magistrate (Chairman).

The President of the District Board.

One non-official member.

The District Superintendent of Police.

The District Superintendent of Police is the Secretary and Executive Officer.

The non-official member of every Board is appointed by the Government of Madras.

Appendix 'A' gives the names of the members of the different Boards and the number of meetings held during the year under review.

4. *Driving licence.*—Driving licences are issued by the Secretaries of the Road Traffic Boards. No person can drive a public service vehicle, i.e., a bus or a taxi, unless he has a specific authorization to do so. The Licensing Authority, Secretary of the Road Traffic Board, may disqualify any person for holding a driving licence under section 15 of the Act. Disqualification under this section can be ordered only on certain grounds which are specified in the Act and any person whom it is proposed to disqualify must be given an opportunity of being heard. The Regional Transport Authority may disqualify for holding an authorization to drive a public service vehicle under section 16 of the Act. Action under this section can be taken for any good and sufficient reason. The distinction is necessary in order to enable the authorities to exercise stricter control over persons employed as drivers of vehicles which carry passengers for hire or reward as compared with goods vehicles or private passenger vehicles.

5. *Conductors certificates.*—No person can work as a bus conductor unless he holds a certificate granted by the Secretary of a Road Traffic Board. A certificate can be suspended or cancelled for misconduct, or if the holder is for any reason considered unfit to perform the duties of a conductor.

6. *Permits.*—A permit may be suspended or cancelled for, among other reasons, failure to maintain the vehicle properly, overloading, overspeeding, breach of the conditions of the permit, failure to observe the provisions of the Act relating to drivers' working hours and for using a vehicle in a manner not authorized by the permit. Reasons for the cancellation or suspension of a permit must be given to the permit-holder, in writing and no permit may be cancelled unless the holder has been given an opportunity to submit his explanation. As owners often urge that they ought not to be punished for the faults of their drivers and conductors, it is necessary to emphasize that the grant of a permit imposes an obligation to operate that vehicle in accordance with the provisions of the Act and the Rules. In particular a stage carriage permit requires the owner to provide a regular, efficient, and properly conducted service for the benefit of the travelling public. The number of permits suspended and cancelled suggests that there are still many owners who do not adequately realize their responsibilities.

7. *Administration of the Motor Vehicles Act—Rules—General.*—The administration of the Motor Vehicles Act, 1939, and the Motor Vehicles Rules, 1940, was generally satisfactory. There were some difficulties at first. The general resemblance between the provisions of the new Act and Rules and the provisions of the 1938 Rules was sufficient to persuade some of the Road Traffic Boards that they could proceed in exactly the same way as before. There are, however, some important points of difference and these were not always fully realized in the beginning. Errors were soon corrected and the transition from the old Rules to the new was satisfactorily completed. The new Act in some respects restricted the powers of the Traffic Boards and their Executive Officers, and it is not always so suitable for prompt and effective action as were the Madras Motor Vehicles Rules, 1938. The Act is however generally adequate and is undoubtedly a great improvement on the Motor Vehicles Act, 1914, as it stood in Madras prior to the introduction of the Madras Traffic Control Act, 1938, and as it stood in most of the provinces prior to the 1st July 1939.

8. *Control of transport vehicles.*—As has already been stated, the most important feature of the Act was the system which is established throughout British India of licensing transport vehicles by permits. For a proper comparison in Madras, it is necessary to refer to the changes introduced from 1st April 1938 as a result of the Madras Traffic Control Act, 1938.

9. Prior to that date any person who wished to run a vehicle for hire or reward had to obtain a permit from the District Superintendent of Police. He was also required under the Madras Local Boards Act and the Madras District Municipalities Act to take out a licence from any district board or municipality on whose road the vehicle ran. The local bodies were entitled to collect substantial fees for these licences. In practice the licences were sometimes refused and local bodies used their powers not merely in order to collect a licence fee but also, so far as buses were concerned, to regulate and restrict the operation of public transport services—a function which local bodies are not in themselves well qualified to perform. The district boards and municipalities were also authorized to issue by-laws for the regulation of traffic. For the operation of a vehicle for hire or reward on certain roads which were excluded from the operation of the Local Boards Act, a licence had to be obtained from the Executive Engineer.

10. Considering its inherent difficulties this system of dual control, by the Police department and by the highway authorities, worked reasonably well. There were, however, as might be expected, conflicts between the different authorities and the system was not suitable for the effective control and proper development of transport.

11. The rules regarding permits, issued under the Motor Vehicles Act, 1914, applied only to

vehicles let or plied for hire, and a lorry used for so called "trade purposes" did not need a permit from the District Superintendent of Police. A district board or municipal licence was required for every lorry but the licence fees for private lorries were nominal. Under the Motor Vehicles Taxation Act, 1931, there was no special class of "lorries" or "goods vehicles." Motor vehicles used in the course of trade and industry for the haulage of goods or materials were taxed a fairly high rate under class 3 of Schedule II. Other lorries, of which there were actually very few, were taxed at a much lower rate under class 5. The distinctions between different classes of goods vehicles were difficult to apply and liable to abuse. The 'trade purposes' label, in particular, was used on public hire lorries to evade the provisions of the Motor Vehicles Rules.

12. The Madras Traffic Control Act, 1938, took away from the local bodies, the power to licence transport vehicles and to make by-laws for the regulation of traffic. It amended the Motor Vehicles Act, 1914, so as to empower the Government to set up traffic boards and to issue rules for the control of motor vehicles of any class and not merely motor vehicles let or plied for hire. The Taxation Act was also amended. A single consolidated tax was substituted for the old tax and licence fees and the distinction between goods vehicles used in the course of trade and industry, and others, was abolished. The Government issued a new set of rules under the amended Motor Vehicles Act. These rules which were known as the Madras Motor Vehicles Rules, 1938, provided for the constitution of a Road Traffic Board in each district and for a Central Road Traffic Board to control the local boards, and to deal with long distances traffic. The rules provided that no transport vehicle should be operated, except under the authority of a Traffic Board permit. The system of control was virtually the same as that set up by the Motor Vehicles Act, 1939, and when considering the effect of the new Act it is important to remember that its provisions had generally been anticipated in Madras in 1938.

13. *Public service vehicles.*—' Public service vehicle " means any motor vehicle used or adapted to be used for the carriage of passengers for hire or reward and includes a motor cab, contract carriage and stage carriage. ' Stage carriage ' is defined as a motor vehicle carrying or adapted to carry more than six persons excluding the driver which carries passengers for hire or reward at separate fares paid by or for individual passengers, either for the whole journey or for stages of the journey. A contract carriage is a motor vehicle which carries a passenger or passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and from one point to another without stopping to pick up or set down along the line of route passengers not included in the contract; and includes a motor cab notwithstanding that the passengers may pay separate fares. The ordinary bus which runs on a regular route is a stage carriage. Stage carriages are occasionally used as contract carriages for the conveyance of private parties and a stage carriage permit provides for this subject to certain conditions. A few buses are used exclusively as contract carriages but most vehicles operating under contract carriage permits are motor cabs.

14. *Stage carriages.*—There were . . . stage carriages operating during the period under review, each of them running on an average 80 to 90 miles a day. The statement in Appendix E* shows the number of stage carriage permits issued during the year in each district. The permit figures for the year do not represent the number of vehicles operating throughout the year or at any one particular time. Considerable variation between the different districts owing to differences in area, population, road mileage and general economic condition are inevitable but the differences must reflect in some degree the amount of enterprise shown by operators over a number of years.

In general, bus operators appear to have been more enterprising and successful in the Southern and West Coast districts than in the north of the Presidency.

15. In most districts the small operator predominated. The old system of divided control was generally not calculated to facilitate the development of stable large scale units. In some districts prior to 1938 the controlling authorities definitely discouraged the formation of even moderately large transport services and the fact that an applicant had one or two buses was regarded as sufficient reason for not granting him any more permits. One unfortunate result of this policy, quite apart from the difficulty of securing efficient public services from a large number of small owners, was that permit holders who desired to expand adopted the device of taking out a permit in somebody else's name. This arrangement had nothing to commend it and too often gave rise to disputes which ended in neither party being able to run the bus one of them having the permit and the other the vehicle, while the public was deprived of a bus service. The unfortunate results of old arrangements of this nature were evident in some cases in 1940–41. It is not surprising that the Road Traffic Boards view them with disfavour and that the usual result is for both parties to be turned off the road.

16. In 1938 the Central Road Traffic Board adopted a policy of encouraging the formation

* Not printed.

of transport companies owning moderately large fleets of vehicles. The Government approved this policy and directed that while single bus owners should be allowed to continue so long as their vehicles remained serviceable, they might be eliminated when their vehicles became unfit for further use. Comparative statistics of the previous years are not available, but Road Traffic Board reports indicate that considerable progress was made in the formation of larger and better organized transport units for the operation of bus services. Apart from the formation of operating companies there was an increase in the number of unions. Tanjore, for instance, reports that there were 16 unions at the end of the year as against 5 on 1st April 1940. The bus union is usually a combination of owners running on the same route. The degree of association varies considerably but as a rule the members retain individual ownership of their vehicles and hold their own permits. These unions indicate that bus owners were realizing the value of association. They are often, however, too loosely organized to be really efficient and are apt to break up quickly when things go wrong. There is no doubt that the transport company which owns the vehicles and holds all the permits in its own name is in a much stronger position than the route union. The Central Board hopes that the development of reasonably large operating companies will continue. This desire is due not to the lack of sympathy with the 'small man' in business but to a conviction, which is amply supported by experience that the operation of public stage carriage services is not a suitable business for a small owner.

17. War conditions brought difficulties to the bus owners particularly in regard to replacement and maintenance of old vehicles. In some districts private enterprise of the right sort was still lacking. It is, however, generally agreed that bus services are becoming better organized and better controlled and that the bus owner is a good deal better off than he was under the old system. To quote the words of one of the Road Traffic Boards "Before the formation of the Traffic Boards the control of public service vehicles was vested in different authorities, the District Magistrate, the District Superintendent of Police, District Board, Municipality and the Public Works Department and the poor owner of a public service vehicle had to knock about from office to office to obtain the necessary permits and licences to enable him to put a vehicle on the road. The constitution of one single authority to deal with all the matters connected with motor vehicle transport is thus a great boon to the harassed owners of public service vehicle and it has contributed to the better working of the Act and Rules and the better control of public services."

18. The year under review saw the beginning of a process which will eventually result in the disappearance of the old open type bus. The open type body was designed to give the maximum number of passengers' seats in the body space available. It was not designed for the passengers' comfort, and the Central Board believes that in later years it was not common outside the Madras Presidency. From 1st October 1940 all new buses in Madras have been of the saloon type. The change was enforced after good deal of discussion and some opposition from the bus owners and the trade. The Central Board has no doubt that the saloon type is safer and more comfortable than the old type and that the change was for the better.

19. There was a considerable development during the year in the use of producer gas buses particularly in Madura and adjoining districts. This development was most opportune and subsequently proved, when petrol rationing was eventually introduced, to be of the greatest assistance to the bus owners, the rationing authorities and the public.

20. *Contract carriages.*—The statement in Appendix 'F'* shows the number of contract carriage permits issued in each district. The size of the operating concern is of no special significance and most contract carriages were run by single vehicle owners. Very often the owner of a motor cab drives it himself. It will be observed that in some districts there are no taxis and that the number in others is small than might have been expected. This is undoubtedly due to the fact that the demand is often met by persons who illicitly let, or ply for hire, vehicles which are registered and taxed as private cars. The "private" taxi operator has always been a nuisance. He is usually known to the police but it is almost impossible to prosecute and get him convicted. The users of these vehicles, who get the benefit, are naturally not disposed to give the evidence of hire which is required for a conviction, and as the law stands at present the police and the traffic authorities can do very little to stop the nuisance. Under the Madras Motor Vehicles Rules, 1938, it was possible to suspend or cancel a driving licence for any reason which was considered adequate and this provision was used to deal with the drivers of "private" taxis. It was not completely satisfactory remedy as it usually left the owner untouched but it was found useful and effective. Under the Motor Vehicles Act, 1939, a driver can be disqualified under section 15 of the Act only for certain specified reasons which do not include driving a vehicle for hire in contravention of the terms of the Act. As a result the number of private taxis increased after 1st April 1940 when the old rules were replaced by the new. One district

* Not printed.

which reports an increase (South Kanara) reports also that by the end of the year the number of taxis in use has fallen. The taxi provides a necessary service for the public. It can be run by a small owner whose resources do not permit him to operate a bus or a lorry service. The difficulties, as the law stands at present, of controlling illicit taxis mean that many persons who might otherwise make a honest and useful living by running a taxi are unable to do so owing to unfair and illegal competition. The cab owner has to pay a higher rate of tax than the private car owner. His vehicle can only be driven by a person who has an authorization to drive a public service vehicle and he has to produce it for inspection and take out a certificate of fitness every six months. The legitimate taxi owner is therefore at a disadvantage as compared with the unscrupulous 'private' operator. The difficulties have been brought to the notice of the Government of India and it is hoped that the Act will be suitably amended.

21. *Goods vehicles*.—As goods vehicles are often operated over longer distances than buses a considerable number were used under extensions of permits granted by the Central Board. The number of goods vehicles capable of carrying heavy traffic was an extremely small number for an area of the size of the Madras Presidency. The Central Board believes this to be due partly to the absence of proper organization and direction in the business of lorry transport, and partly to the lack of roads capable of standing up to heavy traffic. The lorry owner may not be much concerned about the damage he does to the road but he is directly concerned with the pay load he is allowed to carry and this is often, owing to the unsuitability of the roads, cut down to a good deal less than the operating capacity of the vehicle.

22. The number of vehicles owned by a private carrier depends, of course, on the needs of the business for which he uses the vehicles. The public carrier provides an entirely different type of service from the bus owner and in goods transport the small operator is not necessarily at a disadvantage. In practice, however, he is often indifferent to his obligations in regard to the maintenance and other matters and the devolpment of larger and better organized goods services would be welcome. Small operators could improve their position by the formation of district associations of lorry owners which if properly managed would enable the members to retain their individuality and at the same time get the benefits of combined action.

The new Act introduced one important difference in the treatment of goods vehicles. Under the 1938 rules goods vehicles formed a single class and the same procedure applied to all. Under the 1939 Act goods vehicle permits were divided into private and public carrier and a private carriers' permit may be granted without publication. The public carrier permit is granted for the operation of a vehicle for hire or reward and a private carriers' permit for the use of a goods vehicle in connection with the permit holder's own business. The Central Board considers that the distinction is not justified. There are some owners such as the oil companies and firms using their vehicles for local delivery and advertisement purposes who would fall into a group of their own under any system of licensing but usually the private carrier is a dealer in agricultural produce, and general merchandise, who uses his lorry to collect and deliver the goods which he sells. If it is a question of licensing goods vehicles to carry, say, rice from Madras to Chittoor, there is no justification for licensing vehicles which are used for the owner's own business and refusing to licence vehicles which are used for carrying rice for somebody else's business. The need is the same in both cases and all transport of goods by road is in connection with some business. The public carrier is performing a useful service and deserves consideration as much as the private operator. As regards maintenance and observance of rules there is no evidence to show that the private carrier is any better than the public carrier. Indeed, a person who runs a lorry as an aid to some other business is quite likely to be worse in these respects than a person who makes a regular business of operating transport vehicles. The Central Board desires to emphasize this as the distinction in the Motor Vehicles Act, 1939, is liable to create an impression, which is entirely misleading, that 'public carriers' are of inferior status and should not be encouraged.

23. *General*.—The law on the subject of transport vehicles is complex and applicants and operators, particularly the small owner, do not take sufficient trouble, or any trouble at all, to find out what exactly are the provisions of law which affect them. A good deal of labour and trouble was caused to the transport authorities by applicants who evidently had no idea what were the requirements for the grant of a permit. Every application for a stage carriage or public carriers' permit has to be published. If an objection is received the application has to be decided at a public hearing and the applicant and objector must be heard. An applicant definitely has to make out a case for the grant of a permit. But many applications are received which deserve no consideration at all. They are sometimes put in with the sole object, so far as can be judged, of annoying a rival, but the chief difficulty is that many applicants have no clear conception of what matters must be considered before a permit can be granted.

24. *Competition—Including road-rail competition.*—A good deal of the control to which road transport is subjected is in the interest of public safety. Control of this kind is not peculiar to transport and has its parallel in the regulations which are applied in the interest of safety and public health to other industries. Road transport control, however, extends beyond this, and seeks to regulate competition, partly in order to provide additional safeguards in the interests of safety, and partly because it is held that free and unrestricted competition does not produce the most efficient transport services. As it is sometimes assumed that the chief object of the Act is to protect the railways it is as well to emphasize that the Act is intended to regulate, among other things, competition between road transport operators themselves, and that in practice of all transport operators including the railways, it is the bus operator who gets the most protection from the present system of control. The Act provides that every application for a stage carriage permit shall be published. Existing operators may object. The transport authority before deciding any application for a stage carriage permit is required to consider the adequacy of existing road passenger transport services between the places to be served and the effect on those services of the service proposed, and must take into consideration any representations made by persons already providing road transport facilities along or near the proposed route. The advantages of this, to a person already running a bus service, are obvious. He is protected against speculative and unnecessary competition. If he provides a regular and efficient service he has ordinarily an assurance that he will be allowed to continue, and if traffic needs require it, to increase his services.

25. The Motor Vehicles Act, 1939, does not specifically mention railway facilities and railway representation among the matters to be considered by the transport authorities but it has been held that they can and should be considered in the interests of the public generally, and the transport authorities followed the same policy as under the Madras Motor Vehicles Rules, 1938.

26. So far as bus services are concerned regulation has generally taken the form of adjustment of timings on competitive routes rather than reduction of existing bus services. Applications for permits for new services were rejected when it was shown that existing rail and road services were adequate and suitable. As regards lorries the immediate effect was to stabilize goods transport and bring it under effective control. The ultimate object was, generally, to divert road transport from long distance routes where there were suitable railway facilities and to encourage the development of a system under which road and rail services would be complementary instead of being, as they were, very largely competitive. It was never intended that this should be brought about by the forcible and immediate elimination of long distance lorries and lorries which were already on the road were allowed to continue, very much as before, for so long as they were serviceable.

27. Railway representations were given suitable consideration and the Central Board believes that the railways were generally satisfied with measures of control adopted. The Central Board considers that the Railway administrations would be well advised to confine their objections to the more important cases. Arguments against the grant of permits are apt to lose their force when they are repeated with such regularity as to suggest that objection has become a matter of routine.

28. The transport authorities are sometimes accused of failure to co-ordinate the different forms of transport. This charge is based on a misconception. The transport authorities have no power to create a co-ordinated system of transport. They can only adopt measures which are likely to facilitate it, and co-ordination ultimately depends on the voluntary efforts and agreement of the transport interests concerned. Such effort has, unfortunately, not been very noticeable. It is of course handicapped by the distinct lack of organization in the business of goods transport by road.

29. *Offences.*—The statement in the appendix 'G' shows the number of convictions for offences relating to motor vehicles under the Indian Penal Code and for violation of the provisions of the Motor Vehicles Act and Rules. Detailed statistics in regard to particular offences are not available. The Road Traffic Boards of some districts consider the sentences imposed by the courts for motor vehicles offences were often entirely inadequate. This is an old complaint and is probably due to the fact that some Magistrates do not properly understand the purpose of the admittedly large amount of regulation to which road users are subjected. The object is to ensure safety on the public highways and to further the proper development of road transport; and the tendency to regard many offences as merely 'technical' is to be deprecated.

30. *Enforcement.*—The enforcement of the provisions of the Motor Vehicles Act and Rules imposed a considerable burden on the traffic authorities and the Police. The Police staff is generally inadequate for the proper enforcement of Motor Vehicles Law. For

the control of the fast motor traffic motorized police patrols are essential. Mobile patrols were employed in the districts of Salem, Chittoor, Cuddapah and North Arcot, in connexion with the working of the Prohibition Act. There were no special mobile traffic patrols in any other districts, except Madras City.

31. *Prospects*.—The Board believes, assuming that normal conditions will be restored, that the improvement and maintenance of the roads will be the most important single factor in the development of road transport. Roads which are fit for buses are generally adequately provided with bus services. There are still, however, areas which need bus services but cannot have them owing to lack of suitable roads. As regards goods transport the inability of many roads to stand up to reasonable loads is likely to prevent lorries from assuming what appears under normal conditions to be their proper function (in addition to local and urban transport) of opening up the interior and, for long distance traffic, serving as a feeder to the main line railways.

32. *Appeals*.—The Central Board is the appellate authority under section 64 of the Act in respect of orders passed by the Road Traffic Boards. The Road Traffic Boards are also subject to the general control and direction of the Central Board under section 44 of the Act and Rule 149 of the 1940 Rules.

33. The statement below gives particulars of the disposal of appeals and revision petitions against Road Traffic Board orders during the year under review :—

Number of appeals received by the Central Road Traffic Board	235
Allowed	31
Rejected	170
Remitted to the Road Traffic Boards for further consideration	18
Not pursued	10
Pending at the end of the year ..	6
Number of revision petitions received by the Central Road Traffic Board	33
Allowed	3
Rejected	21
Remitted to the Road Traffic Boards for further consideration	7
Not pursued	2

34. During the early part of the year a number of appeals and revision petitions had to be allowed or remitted to the Traffic Boards for further consideration owing to irregularities in procedure. Most petitions were, however, entirely lacking in substance, and deserved very little consideration. The majority of appellants are persons who consider themselves aggrieved by the refusal of a permit or by the grant of a permit to somebody else. It must be remembered that the grant of a permit is a matter of discretion. The Act specifies certain matters which a transport authority must consider, but the only mandatory provision regarding the actual grant or refusal of a permit in section 47 (2) which provides that a transport authority shall refuse a stage-carriage permit if it appears from any time-table furnished that the provisions of the Act relating to the speed at which vehicles may be driven are likely to be contravened. The District Road Traffic Board consists of the District Magistrate, the District Superintendent of Police, the President of the District Board and one non-official. The Board has considerable knowledge of local conditions and of local operators and it must, necessarily, use this knowledge, which neither the Central Board nor any other body possesses to the same degree, in deciding applications. It is not the Central Board's business, as an appellate authority, to re-hear applications 'De Novo' and if the local board has considered the applications and representations, the Central Board will not ordinarily interfere in cases in which it is merely a question of deciding whether a particular service is necessary, or of choosing between applicants. It is necessary to emphasize this as some appellants seem to expect the Central Board to decide their cases afresh without reference to the decision of the local authorities.

35. An appeal lies to the Government against an original order of the Central Road Traffic Board and all the Traffic Boards are subject to the orders of the Government under rule 150. The statement below shows the number of appeals and revision petitions decided by the Government in the year under review :—

Number of appeals	12
Allowed	1
Rejected	11
Number of revision petitions ..	63
Allowed	6
Rejected	57

36. *Madras Traffic Rules*, 1938.—The Motor Vehicles Act and Rules apply only to motor vehicles and their users. The Government of Madras are empowered under section 3 of the Madras Traffic Control Act to make rules for the control of road traffic in general and for regulating the use of public places. Rules under this Act were issued in 1938. These rules constitute in effect a highway code for all road users. They contain the general "rules of the road" together with special provisions for pedestrians, cyclists, cart-drivers, and others. Reports from the Road

Traffic Boards suggest that the Traffic Rules were generally, or even strictly observed. The Central Board is satisfied that there was an improvement but there are certainly no grounds for complacency, and a great deal remains to be done towards the development of a proper road sense. The number of motor vehicles in Madras is still comparatively small. Madras thus escapes some of the worst dangers and difficulties which arise in other countries from the congestion of motor traffic, but the control of a varied mixture of slow and fast moving traffic, on roads where many road-users have an imperfect realization of the revolutionary changes brought about by motor transport, presents its own special difficulties. There are indications that the distinction between slow and fast traffic was becoming better understood during the year under review and that the drivers of slow moving vehicles were not so ignorant of, or indifferent to, the necessity of keeping out of the stream of fast motor traffic. The pedestrian, particularly in urban areas, appears to have been the cause of a good deal of difficulty. To quote one of the Road Traffic Boards "The worst offenders are pedestrains in towns, whether educated or not. The public are not only sadly wanting in road sense but take perverse delight in disregarding all traffic rules. They obey the rules only so long as the policeman is present and break them immediately his back is turned. They must need walk only in the centre of the road and stand there in groups discussing all their family or business affairs, absolutely callous of the fact that they are impeding traffic and blocking the road and they resent and behave rudely, when asked to move off." It is perhaps difficult for pedestrians to realize that they constitute a traffic unit and are subject to regulation on the roads, and unfortunately the lack of suitable pavements and the prevalence of obstructions in towns often gives the pedestrian no option but to thrust himself into the main line of traffic. The fact remains, however, that pedestrians are often inconsiderate, and surprisingly careless considering how vulnerable they are.

37. The police worked hard, and with a fair amount of success, to enforce the traffic rules but they were handicapped, again, by lack of adequate staff.

38. A good deal of valuable propaganda was done during the year by lectures in schools and by the distribution of leaflets; and the Civic Guards did useful work in teaching "road sense." It is clear that a long and careful application of the policy of education and correction, coupled with road improvements particularly in towns, will be necessary before any substantial advance can be recorded. The police can give only a limited amount of time to propaganda and the formation of active "safety first" or similar associations would be welcome.

39. *Offences.*—The statement in Appendix H shows the number of convictions for offences under the Traffic Rules. Complete particulars of the different offences which make up the total are not available, but such figures as have been received suggest that cyclists were frequent offenders and that obstruction was a good deal more common than it should have been.

40. *Conclusion.*—The Central Board desires to pay a tribute to the work of the members, official and non-official, of the Road Traffic Boards. A special tribute is due to the Police officers who as the Secretaries and Executive Officers of the Boards have shouldered most of the burden. The constitution of the Regional Transport Authorities on a district basis has its advantages, but it imposes a great deal of extra work on the District Superintendent of Police and his office, and it is very creditable that, in spite of defects and difficulties, the administration of the Act and Rules has been generally satisfactory.

I have the honour to be,

Sir,

Your most obedient servant,

E. W. BOUCHIER,

Secretary.

APPENDIX A.

Central Road Traffic Board, Madras.

Constitution of the Board.

Chairman.	Secretary.	Inspector-General of Police.	Inspector of Local Boards.
T. Austin, Esq., I.C.S. G. W. Priestley, Esq., I.C.S. J. B. Brown, Esq., C.I.E., I.C.S.	E. W. Bouchier, Esq., I.C.S.	F. Sayers, Esq., C.I.E. A. J. Happell, Esq., O.B.E.	S. Ranganathan, Esq., O.B.E., I.C.S. Sri Rao Bahadur S. G. Grubb, B.A.

Non-official member.

Sri T. T. Krishnamachari, M.L.A.

The number of meetings held during the year—15.

Vizagapatam District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
C. H. Masterman, Esq., C.I.E., I.C.S.	C. E. Lonsdale, Esq., I.P S. W. W. Wright, Esq., I.P.	Sri P. L. N. Raju. Sri P. Swami Babu.	Sri D. V. Ramaswami, M.L.A. Sri Diwan Bahadur D. Srirama Sastri, B.A., M.L.

The number of meetings held during the year—12.

East Godavari District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
A. C. Woodhouse, Esq., C.I.E. Rao Sahib Sri C. Tiruvenkata Mudaliyar, B.A. W. R. S. Sathianadhan, Esq., I.C.S.	M. Sirajuddin Sahib Bahadur, M.A., B.L., I.P. Diwan Bahadur Sri V. K. Rajagopala Thamban. M. Sirajuddin Sahib Bahadur, M.A., B.L., I.P.	Sri M. Pallam Raju.	Sri Kala Venkata Rao, M.L.A.

The number of meetings held during the year—8.

West Godavari District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
I. M. Fraser, Esq., I.C.S. Sri Rao Sahib L. Lakkaraju, B.A. I. M. Fraser, Esq., I.C.S.	Mr. H. E. Pandian, LL.B. Khan Sahib Khaja Muhiuddin Hussain Sahib Bahadur.	Dr. M. Rangiah, L.M. & S.	Sri V. Gangaraju alias Gangiah.

The number of meetings held during the year—12.

Kistna District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
Sri Rao Bahadur C. J. Paul.	Sri S. Parthasarathi Ayyangar, B.A., M.L. Sri M. Krishna Menon. Khan Bahadur J. Abdur Rahman Khan Sahib Bahadur.	Sri K. Lakshmayya Nayudu.	Sri V. Kurmayya, M.L.A. Zubdatul Aqram Srimant Raja Yarlagadda Sivarama Prasad Bahadur Zamindar Garu.

The number of meetings held during the year—12.

Guntur District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
Sri Rao Bahadur V. Ponnuswami Pillai, B.A.	Khan Sahib Khaja Muhiuddin Hussain Sahib Bahadur. Sri V. Subbarayan, B.A., I.P. R. Hume, Esq., O.B.E., I.P. Sri Rao Bahadur K. P. Janardhana Rao, B.A., I.P.	Sri K. Chandramowli, B.SC., M.L.A.	Sri J. Raja Rao, M.L.A.

The number of meetings held during the year—13.

Nellore District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
E. M. Gawne, Esq., I.C.S. W. R. S. Sathianathan, Esq., I.C.S. M. Karamatullah, Esq., I.C.S.	Sri Rao Sahib T. Devaraja Mudaliyar.	Sri V. Kothandarama Reddi.	Dr. Mohamad Abdus Salam, M.L.A.

The number of meetings held during the year—12.

Cuddapah District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
T. Sivasankar, Esq., I.C.S. V. V. Subrahmanyan, Esq., I.C.S. K. Srinivasan, Esq., I.C.S. W. W. Georgeson, Esq., I.C.S.	W. E. Middleton, Esq., B.A., I.P.	Srimathi K. Ramasubbamma.	Sri N. Ranga Reddi, B.A., B.L. Sri T. M. Seshadri, B.A., B.L.

The number of meetings held during the year—16.

Anantapur District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
T. Bhaskara Rao, Esq., I.C.S.	Sri A. V. Patro, B.A., M.R.S.L. (Lond.). Sri S. Parthasarathi Ayyangar, B.A., M.L.	Sri A. Rayappa	Sri M. Lakshminarayana Rao, M.A., L.T.

The number of meetings held during the year—12.

Bellary District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
M. Karamatullah, Esq., I.C.S. A. D. Crombie, Esq., C.I.E., I.C.S.	Sri M. Krishna Menon, B.A., I.P. A. R. Jakeman, Esq., I.P.	Dr. R. Nagana Gowd, M.SC., PH.D.	Sri H. Sitharama Reddi, B.A., B.L., M.L.A.

The number of meetings held during the year—12.

Kurnool District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
Khan Bahadur Muhammad Humayun Sahib Bahadur.	Khan Bahadur Muhammad Kalimullah Chida Sahib Bahadur, M.B.E. Sri Rao Bahadur P. K. Monnappa, B.A.	Sri B. V. Subba Reddi.	Sri G. Venkata Reddi, M.L.A. Sri Rao Sahib Jutur Ramayya Setty.

The number of meetings held during the year—11.

Chingleput District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
J. B. Brown, Esq., C.I.E., I.C.S. S. K. Chettur, Esq., I.C.S.	C. R. Charsley, Esq., I.P. M. Sirajuddin Sahib Bahadur, I.P. Sri A. V. Patro, B.A., M.R.S.L. (Lond.).	Sri A. S. Doraiswami Rediyar.	Sri Rao Bahadur M. C. Rajah, M.L.A.

The number of meetings held during the year—15.

Chittoor District.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
Khan Bahadur J. Hussain Khan Sahib Bahadur.	Sri Rao Bahadur K. P. Janardhana Rao, I.P. Sri V. Subbarayan, I.P.	Sri T. N. Ramakrishna Reddi.	Sri Rao Bahadur M. Ramakrishna Reddi.

The number of meetings held during the year—12.

NORTH ARCOT DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
Khan Bahadur Sheriff Ahmed Ali Sahib Bahadur, B.A.	G. F. Harrison, Esq., I.P. Sri M. Krishna Menon, B.A., I.P.	Sri C. Perumalswami, M.L.C. Sri T. Karia Goundar.	Sri V. M. Ramaswami Mudaliyar, M.A., B.L., M.L.A. Sri C. N. Sugananda Mudaliyar, B.A.

The number of meetings held during the year—13.

SOUTH ARCOT DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
V. N. Kudva, Esq., I.C.S.	E. R. Ward Close, Esq., I.P.	Sri K. Sitarama Reddiyar.	Sri R. Ponnuswami Pillai.

The number of meetings held during the year—12.

TANJORE DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
C. K. Vijayaraghavan, Esq., I.C.S.	A. E. D. Frederick, Esq., M.A., I.P.	Sri V. Nadimuthu Pillai, M.L.A.	V. Hammed Sultan Marakkayar Sahib Bahadur, M.L.C.

The number of meetings held during the year—12.

TRICHINOPOLY DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
J. R. Bett, Esq., I.C.S. B. W. Day, Esq., I.C.S.	A. C. Martin, Esq.	Sri Ponnambala Goundar.	Sri P. R. Tevar. Sri Rao Sahib P. S. Sivagnana Mudaliyar.

The number of meetings held during the year—13.

MADURA DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
F. R. Brislee, Esq., I.C.S. J. R. Bett, Esq., I.C.S.	W. F. A. Hamilton, Esq., M.B.E., I.P. D. Crossley, Esq., I.P. Sri Rao Bahadur J. Devasahayam, B.A., I.P. (Deputy Secretary).	Janab K. S. Mohammad Abdul Khader Ravuttar Sahib Bahadur.	Sri L. Krishnaswami Bharathi, M.A., B.L., M.L.A. Sri W. P. A. Soundarapandia Nadar.

The number of meetings held during the year—14.

RAMNAD DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
A. R. C. Westlake, Esq., I.C.S. Sri Rao Bahadur S. G. Grubb, B.A. Sri Rao Sahib C. Tiruvenkata Mudaliyar, B.A.	B. W. Lane, Esq., I.P. Sri A. V. Patro, B.A., M.R.S.L. (Lond.).	Sri P. S. Kumaraswami Raja, M.L.A. Sri S. Jayaram Reddiyar, B.A.	Sri V. S. R. M. Velliappa Chettiyar, M.L.A.

The number of meetings held during the year—21.

TINNEVELLY DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
N. D. Krishna Rao, Esq., I.C.S. V. S. Hejmadi, Esq., I.C.S.	F. L. Underwood, Esq., I.P.	Sri M. C. Veerabahu Pillai. Sri Gopal Nayakar.	Mr. J. P. L. Roche Victoria, M.L.A.

The number of meetings held during the year—12.

COIMBATORE DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
D. D. Warren, Esq., I.C.S. A. R. C. Westlake, Esq., I.C.S.	C. R. Jackets, Esq., I.P.	Sri K. K. Subbanna Goundar.	Sri Diwan Bahadur C.S. Ratnasabapathi Mudaliyar.

The number of meetings held during the year—12.

NILGIRIS DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
E. Bennett, Esq., I.C.S.	A. J. King, Esq., I.P. H. G. Furness, Esq., I.P.	Sri H. B. Ari Gowder, B.A.	Lt.-Col. J. A. Collum, D.S.O., O.B.E. Mr. J. R. Smail.

The number of meetings held during the year—17.

SALEM DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
R. M. Sundaram, Esq., I.C.S.	J. F. B. Kaye, Esq., I.P.	Sri K. A. Nachiyappa Goundar, M.L.A.	Sri M. G. Natesan Chettiar, M.L.A. Sri V. L. Narasu.

The number of meetings held during the year—12.

SOUTH KANARA DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
Sri Rao Bahadur V. Ponnuswami Pillai. M. V. Subramaniam, Esq., I.C.S.	Khan Sahib Muhammad Ziauddin Sahib Bahadur. F. J. Chadwick, Esq., I.P.	Dr. K. Vittal Setty.	Janab H. S. Hussain Sahib Bahadur, M.L.A.

The number of meetings held during the year—12.

MALABAR DISTRICT.

Constitution of the Board.

Chairman.	Secretary.	District Board President.	Non-official member.
C. F. V. Williams, Esq., I.C.S.	O. L. Burrell, Esq., I.P.	Janab K. V. Nuruddin Sahib Bahadur.	Sri Rao Sahib V. K. Krishna Menon.

The number of meetings held during the year—12.

MADRAS ROAD TRAFFIC BOARD.

Constitution of the Board.

Chairman.	Secretary.	Collector of Madras.	Commissioner of the Corporation.
L. B. Gasson, Esq., I.P.	D. C. T. Cameron, Esq., I.P.	G. W. Priestley, Esq., I.C.S. Sri Diwan Bahadur V. N. Viswanatha Rao.	O. Pulla Reddi, Esq., I.C.S.

Non-official Member.

Sri Diwan Bahadur M. Balasundaram Nayudu.

The number of meetings held during the year—12.

APPENDICES B TO F—[Not printed.]

APPENDIX G.

District.	Convictions under Indian Penal Code.	Convictions under the Motor Vehicles Act and Rules.
(1)	(2)	(3)
Vizagapatam	7	3,383
East Godavari	4	334
West Godavari	1	413
Kistna	12	1,635
Guntur	7	1,231
Nellore	1	1,285
Cuddapah	2	933
Anantapur	..	1,102
Bellary	..	449
Kurnool	2	403
Chingleput	25	2,125
Chittoor	5	1,184
North Arcot	1	669
South Arcot	1	605
Tanjore	41	802
Trichinopoly	1	262
Madura	18	590
Ramnad	9	452
Tinnevelly	9	1,014
Coimbatore	4	412
The Nilgiris	..	207
Salem	8	849
South Kanara	..	264
Malabar	1	904
Madras	4	385
Total ..	163	21,892

APPENDIX H.

District.	Convictions under the Traffic Rules.
(1)	(2)
Vizagapatam	3,677
East Godavari	1,706
West Godavari	1,366
Kistna	1,104
Guntur	1,693
Nellore	651
Cuddapah	352
Anantapur	3,315
Bellary	4,334
Kurnool	1,463
Chingleput	2,961
Chittoor	1,020
North Arcot	647
South Arcot	238
Tanjore	3,230
Trichinopoly	1,454
Madura	4,989
Ramnad	305
Tinnevelly	2,599
Coimbatore	61
The Nilgiris	39
Salem	3,140
South Kanara	785
Malabar	464
Madras	11,070
Total ..	52,663

Government of Madras

HOME DEPARTMENT

G.O. No. 463, 5th February 1942

Administration reports—Motor vehicles—Report for 1940–41—Recorded.

READ—the following paper :—

From the Secretary, Central Road Traffic Board, dated 15th December 1941, No. R. 5190/41-13.

Order—No. 463, Home, dated 5th February 1942.

Recorded.

(By order of His Excellency the Governor)

C. F. V. WILLIAMS,
Secretary to Government.

To the Secretary, Central Road Traffic Board.
" the Board of Revenue.
" the Inspector-General of Police.
" the Commissioner of Police.
" all District Magistrates.
" the Public Department.
" the Local Administration Department.
" the Public Works Department.
" the Secretary, Automobile Association of Southern India.
" the Chairman, Motor Vehicles and Allied Merchants, Association.
" the Secretary, Indian Roads and Transport Development Association.
" the Madras Provincial Bus Owners' Association, Madras.
" the Government of India, Department of Communications (with C.L.)
Press.

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